

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**FIDELITY AND GUARANTY LIFE  
INSURANCE COMPANY,**

**Plaintiff,**

**v.**

**MYRON M. WEASELBOY, et al. \***

**Defendants. \***

\* \* \* \* \*

**DEFENDANT F&G ASSIGNMENT’S RESPONSE TO DEFENDANT SINGER  
ASSET FINANCE COMPANY, LLC’S MOTION FOR SUMMARY JUDGMENT  
AND CROSS-MOTION FOR SUMMARY JUDGMENT**

Fidelity & Guaranty Assignment, LLC (“F&G Assignment”), a defendant and cross-claim plaintiff, responds to the Motion for Summary Judgment filed by Singer Asset Finance Company, LLC (“Singer”) and cross moves for summary judgment on its Cross-Claim.

Singer has moved for summary judgment on all claims raised in the Complaint for Interpleader and Count I of its Cross-Claim. F&G Assignment takes no position with respect to the Court’s resolution of claims between Singer and the other interpleader defendant in the case, Myron M. Weaselboy (“Weaselboy”). However, F&G Assignment has filed its own Cross-Claim in the present case. It is the position that whatever the resolution of Singer’s Motion for Summary Judgment may be, the Court cannot enter a final judgment in the case until F&G Assignment’s Cross-Claim has been addressed.

F&G Assignment seeks in its Cross-Claim the following declarations: (1) A declaration of the correct party to whom Annuity payments are to be paid by F&G Life;

and, (2) A declaration that F&G Assignment shall have no liability to Mr. Weaselboy so long as F&G Life shall make Annuity payments to the party or parties designated by the Court. Should the Court grant Singer's Motion for Summary Judgment, the first declaration that F&G Assignment seeks Claim shall have been resolved explicitly by the Court. The second declaration that F&G Assignment seeks implicitly follows from the first declaration. Accordingly, F&G Assignment respectfully requests that should the Court grant Singer's Motion for Summary Judgment that the Court also enter the declarations that F&G Assignment seeks in its Cross-Claim.

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